

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Donald G. Greer,

Plaintiff,

Civil No. 12-1170 (MJD/JJG)

v.

The Metropolitan Council, a *public corporation*  
and *political subdivision*, and Amalgamated  
Transit Union Local 1005,

Defendants.

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**ORDER ON REPORT  
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge [Doc. #138]. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. The Report and Recommendation are **ADOPTED**;
2. Pursuant to the parties' stipulation of December 20, 2013 (ECF No. 133), Counts I-V are **DISMISSED WITH PREJUDICE**;
3. Defendant Amalgamated Transit Union Local 1005's Motion for Summary Judgment (ECF No. 98) is **GRANTED**;
4. Defendant The Metropolitan Council's Motion for Summary Judgment (ECF No. 105) is **GRANTED**;

5. Defendants' requests for attorney's fees is **DENIED**; and
6. Counts VI and VII are **DISMISSED WITH PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 14, 2014

s/Michael J. Davis

MICHAEL J. DAVIS

Chief Judge

Chief United States District